

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TED A. McCracken,

Plaintiff,

vs

5:08-CV-520

NINE MILE POINT NUCLEAR STATION,
LLC., et al,

Defendants.

APPEARANCES:

OF COUNSEL:

TED A. McCracken
Plaintiff, Pro Se
15 Derry Drive
North Wales, PA 19454

HON. DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff, Ted A. McCracken, brought this action pursuant to 28:1331 in May 2008. By Report-Recommendation dated May 18, 2009, the Honorable George H. Lowe, United States Magistrate Judge, recommended that plaintiff's complaint be sua sponte dismissed with prejudice for failure to prosecute and for failure to comply with an order of the court pursuant to Fed. R. Civ. P. 41(b). There have been no objections made to the Report-Recommendation.

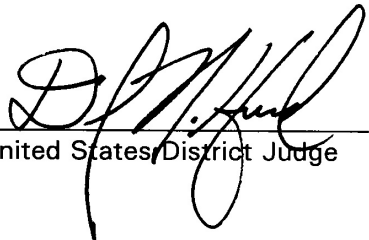
Based upon a careful review of the entire file and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1). Accordingly, it is

ORDERED that

1. The plaintiff's complaint is DISMISSED with prejudice; and
2. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: June 24, 2009
Utica, New York.


United States District Judge